



City of El Paso – City Plan Commission Staff Report

(REVISED)

Case No: SUSU14-00070 – Montana Vista Palms Replat A
Application Type: Resubdivision Combination
CPC Hearing Date: July 31, 2014
Staff Planner: Nelson Ortiz, (915) 212-1606, ortiznx@elpasotexas.gov
Location: North of Montana and West of Oshea
Acreage: 6.741 acres
Rep District: ETJ
Existing Use: Vacant
Existing Zoning: N/A
Proposed Zoning: N/A
Nearest Park: Eastside Regional Park (6.17 miles)
Nearest School: Across the street from Red Sands Elementary School
Park Fees Required: N/A
Impact Fee Area: N/A
Property Owner: El Paso Montana and Tropicana Building II
Applicant: Tropicana Building II
Representative: CEA Group

SURROUNDING ZONING AND LAND USE

North: ETJ/ Vacant
South: ETJ / Vacant
East: ETJ / Red Sand Elementary School / Vacant
West: ETJ/ Rural Development

PLAN EL PASO DESIGNATION: G6 Rural Settlement (Remote)

APPLICATION DESCRIPTION

The applicant proposes to subdivide 6.741 acres of vacant land. Three apartment lots, one commercial lot, and three leach field sites, and one private pond site are all proposed within the development. Access to the subdivision is proposed from Montana Avenue and O'Shea Drive. The applicant requests an exception to allow a panhandle length greater than 100 feet and to waive ROW improvements on O'Shea Drive and Peggy Hopkins Drive in accordance with Section 19.10.050.A. The property is in the ETJ and is not within the city's path of annexation. The county has provided a letter stating that do not want improvements other than sidewalks.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends approval of the exception for panhandle

length and waiver of ROW improvements on O'Shea Drive and Peggy Hopkins Drive and approval of Montana Vista Palms Replat A.

City Development Department – Planning

Planning recommends approval of the exception for panhandle length and waiver of ROW improvements on O'Shea Drive and Peggy Hopkins Drive in accordance with Section 19.10.050.A (see below) and approval of Montana Vista Palms Replat A.

Section 19.10.050.A (Improvement of the Proportional Share of an Adjacent Substandard Road):

1. Unless the property is subject to a previously-approved development agreement, annexation agreement or land study, the city plan commission may waive such requirements to provide rights-of-way or street improvements to adjacent substandard roads based on any of the following factors:

b. The plat is located within the City of El Paso's Extraterritorial Jurisdiction area, is not within the city's annexation path and written documentation from the County of El Paso has been received stating that the substandard road meets all County requirements and the County is willing to accept the dedication of the substandard road;

c. For all plats located in the City of El Paso's Extraterritorial Jurisdiction area, written concurrence from the County of El Paso is required prior to the waiver of any dedication and/or improvements.

Conditions 1.b and 1.c are met.

EPWU:

1. EPWU does not object to this request.
2. This Property is located within the El Paso County's East Montana Water System. The El Paso Water Utilities – Public Service Board (EPWU-PSB) does not provide water service to this area. The Applicant may contact the County of El Paso Road and Bridges Department to solicit water service.

Water:

3. There is an existing 6-inch diameter water mains extending along Peggy Hopkins, said main is located approximately 20-ft south from the center line of the right-of-way and dead-ends at approximately 2,340-ft west O'Shea Drive.
4. There is an existing 12-inch diameter water main along Oshea Drive, the alignment of the water main varies between the southeast and northeast property lines.
5. There is an existing 18-inch diameter transmission water main extending along Montana Avenue. The main is located approximately 63-ft north from the center line of the right-of-way.

No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

Park and Recreation Department:

No comments received.

City Development Department – Land Development:

No comments received.

Additional Requirements and General Comments:

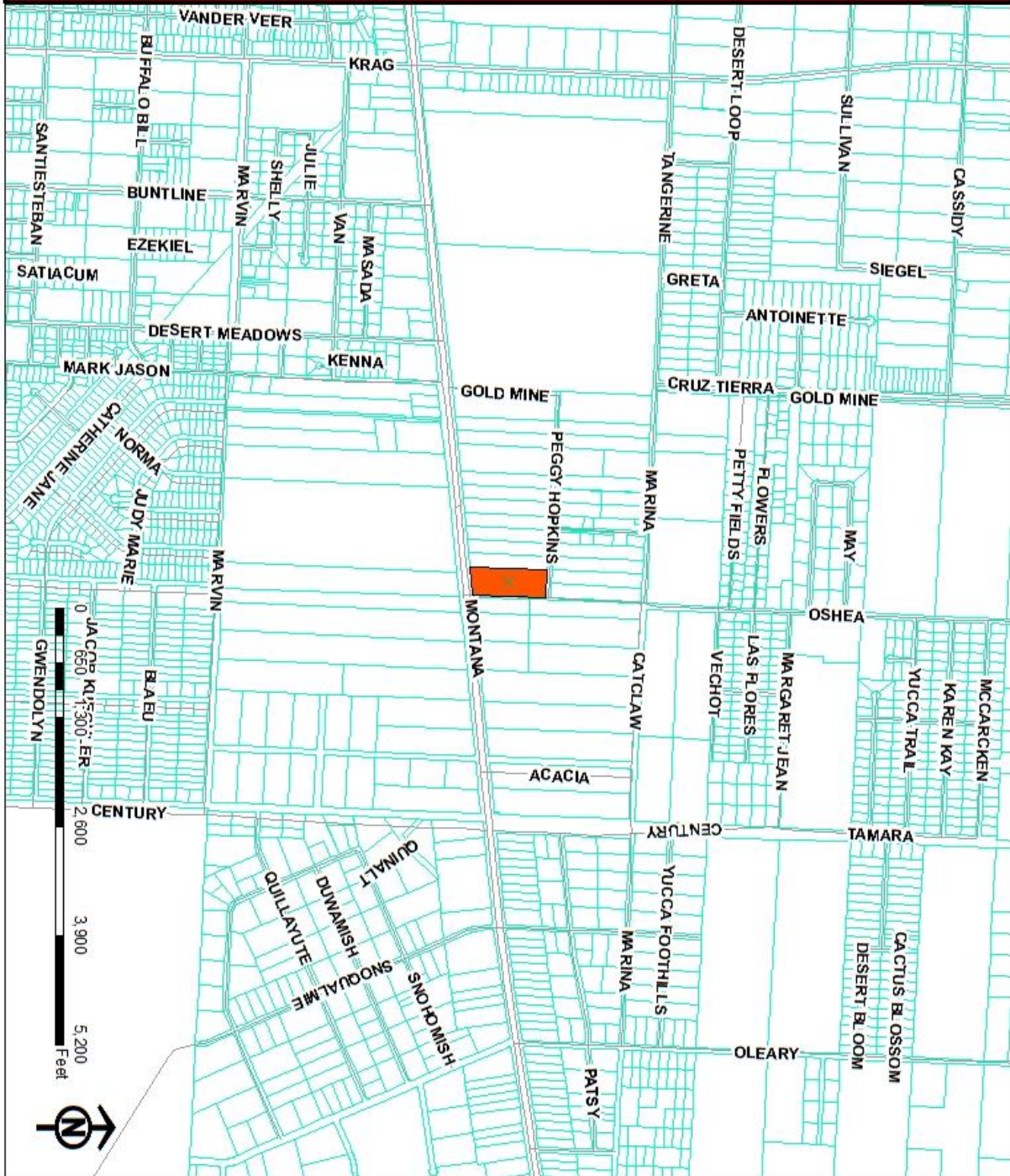
1. Submit to the City Development Department – Planning Division the following prior to recording of the subdivision.
 - a. Current certified tax certificate(s)
 - b. Current proof of ownership
 - c. Release of access document, if applicable
 - d. Set of restrictive covenants, if applicable
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

Attachments

1. Location map
2. Aerial map
3. Preliminary plat
4. Final plat
5. Exception Request
6. Letter from County accepting the ROWs
7. Application

ATTACHMENT 1

MONTANA VISTA PALMS REPLAT A

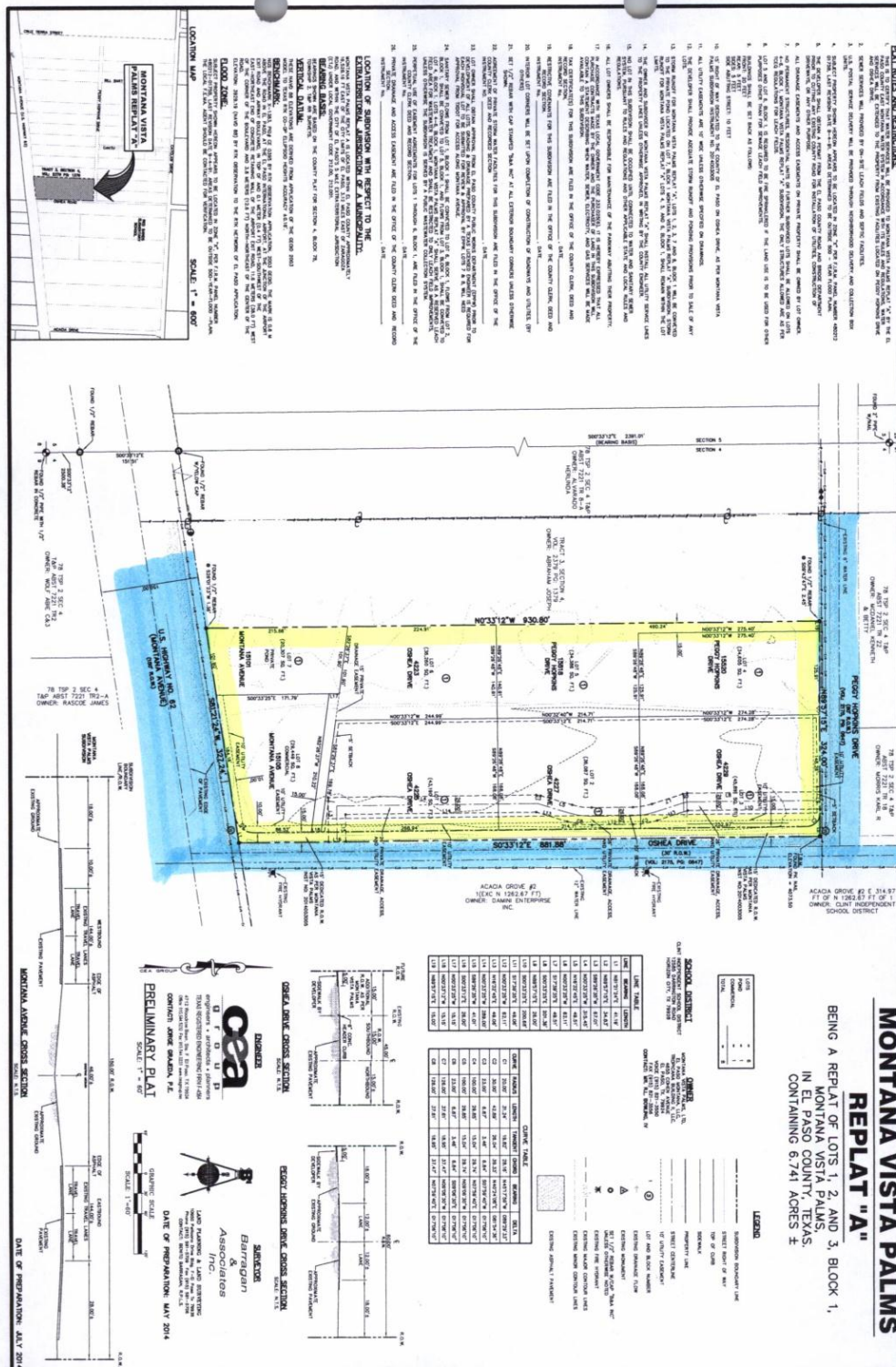


ATTACHMENT 2

MONTANA VISTA PALMS REPLAT A



ATTACHMENT 4



ATTACHMENT 5



Castner Center @ Transmountain
4712 Woodrow Bean, Ste. F
El Paso, TX 79924
Office: 915.544.5232
Fax: 915.544.5233
web: www.ceagroup.net

June 23, 2014

City of El Paso – City Development Department
811 Texas Avenue
El Paso, TX 79901

Attention: Ms. Kimberly Forsyth

Reference: Montana Vista Palms Replat "A"
Modification Request

Dear Ms. Forsyth:

On behalf of the Owner for the above referenced development, we are requesting one variance to the City of El Paso Municipal Code. The following are the variance requests:

- City of El Paso Municipal Code Section 19.23.040(c)(2). The panhandle length exceeds one hundred feet (100 feet). A note shall be added to the recording plat to indicate that Lot 5 and Lot 6, Block 1 is required to be fire sprinklered if the land use is to be used for other purposes other than for sewage leachfield improvements. In addition, the recording plat will restrict the use of these lots to only leachfield improvements. Our request is based on the physical surroundings, shape, access and topography or other feature affecting the land such that the strict application of the provisions of this Chapter to the proposed use would create an unnecessary hardship or inequity upon or for the applicant, as distinguished from a mere inconvenience, in developing the land or deprive the applicant of the reasonable and beneficial use of the land.

We look forward to your favorable consideration to our request. If you have any questions, please contact me at (915)544-5232 or jgrajeda@ceagroup.net.

Sincerely,
CEA Group

A handwritten signature in black ink, appearing to read "Jorge Grajeda", written over a horizontal line.

Jorge Grajeda, P.E.
Project Manager

L-2000-170LZ_ReplatA-Mod.Request_6-23-14
JG/jg

ATTACHMENT 6



CITY PLAN COMMISSION APPLICATION FOR RESUBDIVISION COMBINATION SUBDIVISION APPROVAL

DATE: 05/23/14

FILE NO. SUSU14-00070

SUBDIVISION NAME: Montana Vista Palms Replat A

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
Being a Replat of Lots 1, 2 and 3, Block 1, Montana Vista Palms, El Paso County, Texas

2. Property Land Uses:

	<u>ACRES</u>	<u>SITES</u>		<u>ACRES</u>	<u>SITES</u>
Single-family	_____	_____	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	<u>5.589</u>	<u>6</u>	Ponding & Drainage	<u>0.486</u>	<u>1</u>
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____		_____	_____
School	_____	_____	Total No. Sites	<u>8</u>	_____
Commercial	<u>0.676</u>	<u>1</u>	Total (Gross) Acreage	<u>6.741</u>	_____
Industrial	_____	_____			

3. What is existing zoning of the above described property? N/A Proposed zoning? N/A

4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes X No _____

5. What type of utility easements are proposed: Underground X Overhead _____ Combination of Both _____

6. What type of drainage is proposed? (If applicable, list more than one)
On-Site ponding

7. Are special public improvements proposed in connection with development? Yes _____ No X

8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes X No _____
If answer is "Yes", please explain the nature of the modification or exception:
The panhandle length exceeds one hundred feet (100').

9. Remarks and/or explanation of special circumstances: _____

10. Improvement Plans submitted? Yes _____ No X

11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes _____ No X

If yes, please submit a vested rights petition in accordance with Title I (General Provisions) Chapter 1.04 - Vested Rights

City Development Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 541-4024



El Paso Montaña, LLC for Montana Vista Palms, LTD 4655 Cohen Ave. El Paso, TX. 79924

- | | | | |
|-----|---|--|-----------------------|
| | El Paso Montana, LLC | 4655 Cohen Ave. El Paso, TX. 79924 | (915) 821-3550 |
| 12. | Owner of record <u>Tropicana Building II, LLC</u> | <u>4655 Cohen Ave. El Paso, TX. 799024</u> | <u>(915) 821-3550</u> |
| | (Name & Address) | (Zip) | (Phone) |
| 13. | Developer <u>Tropicana Building II, LLC</u> | <u>4655 Cohen Ave. El Paso, TX. 79924</u> | <u>(915) 821-3550</u> |
| | (Name & Address) | (Zip) | (Phone) |
| 14. | Engineer <u>CFA Group</u> | <u>4712 Woodrow Bean Dr. Ste. F, El Paso TX. 79924</u> | <u>(915) 544-5232</u> |
| | (Name & Address) | (Zip) | (Phone) |

Refer to Schedule C for
current fee.

OWNER SIGNATURE

REPRESENTATIVE:

R. J. B. Jr. Pres.

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.